

ATTACHMENT 1:

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND DETERMINATION OF NEPA ADEQUACY (DNA)

MAY, 2006 O&G LEASE SALE
U.S. Department of the Interior
Utah Bureau of Land Management

This Worksheet is to be completed consistent with the "Guidelines for using the DNA Worksheet," located at the end of the worksheet. The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision. However, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

A. BLM Office: Moab Field Office (U-062)

Proposed Action Title/Type: Parcels offered for the May, 2006 Oil & Gas Lease Sale

Location of Proposed Action: Various land parcels within Grand and San Juan Counties. Attachment 2 contains a legal description for each parcel to be offered.

Description of the Proposed Action: The Bureau of Land Management, Utah State Office, proposes to offer 6 parcels of public land in Grand and San Juan Counties for oil and gas leasing in a competitive lease sale to be held in May, 2006. This DNA only addresses those lands within these parcels that are administered or partially administered by the Moab Field Office. Attachment 2 lists all parcels recommended for leasing and includes special lease stipulations. The leases will be offered as Oil and Gas Category 1, open for leasing with standard stipulations, and Category 2, open for leasing with special stipulations. If any of the parcels are not taken by competitive bidding, then they may be taken by a non-competitive sale for two years after the competitive offer. A lease may be held for 10 years, after which the lease would expire unless oil or gas is produced in paying quantities. A producing lease would be held indefinitely by paying production.

A lessee's right to explore and drill for oil and gas, at some location on Category 1 and 2 leases, is implied by issuance of the lease. A lessee must submit an application for permit to drill (APD) to the BLM for approval including NEPA analysis. A lessee must possess a BLM approved APD prior to drilling. Following BLM's approval of an APD, a lessee may produce oil and gas from the approved well.

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

	Oil and Gas Environmental Analysis Record	Date Approved: 1976
	Oil and Gas Leasing Category Revision	Date Approved: September, 1982
LUP Name:*	Grand Resource Area RMP (Moab)	Date Approved: July, 1985
Other document:**	Oil & Gas Supplemental EA UT-060-89-025	Date Approved: December, 1988
	Canyon Rims Plan Amendment to Grand RMP, EA #062-01-144	Date Approved: September, 2003

*List applicable LUPs (e.g., Resource Management Plans or applicable amendments)

**List applicable activity, project, management, water quality restoration, or program plans.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision:

- Adopt the oil and gas category system...which will protect critical wildlife habitat, watersheds, and recreational use (Grand RMP, page 27).

C. Identify applicable NEPA document(s) and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Oil and Gas Environmental Analysis Record, 1976

Draft Environmental Impact Statement (EIS), Grand Resource Area (March, 1983); this is part of the RMP.

Final Environmental Impact Statement (EIS), Grand Resource Area (December, 1983); this is part of the RMP.

Grand Resource Area RMP (July, 1985).

Oil & Gas Supplemental EA # UT-060-89-025 (December, 1988).

Canyon Rims EA # 062-01-144 (September 2003)

Legacy Energy EA # 062-98-117 (October 1998)

Relevance and Importance Evaluations of ACEC Nominations, August 2, 2004

Utah BLM Statewide Desert Bighorn Sheep Management Plan, September, 1986

Desert Bighorn Sheep Management Plan Moab District. September, 1987

Draft Programmatic T&E Species BAs (See Wildlife/TES Report)

List by name and date other documentation relevant to the proposed action (e.g., source drinking water assessments, biological assessment, biological opinion, watershed assessment, allotment evaluation, rangeland health standard's assessment and determinations, and monitoring reports):

Staff reviews were completed and are documented in the Interdisciplinary Team Review Record, and Staff Reports identified below.

<u>Staff Review</u>	<u>Date Completed</u>
Cultural Resources	02-01-06
Riparian	02-02-06
Wilderness	02-07-06
Wildlife/TES	01-25-06
Lands	02-07-06
Visual	No Date
Recreation	No Date
Wild and Scenic Rivers	No Date

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Yes for parcels:

UT0506- 279, 280, 281, 282, 299A, 304

Documentation of answer and explanation:

The current proposed action is substantially the same action as previously analyzed in the RMP. The parcels recommended for lease sale are located within a large area specifically analyzed in the RMP (see, for example, p. 17-19, 21, 23-26, 28, 30, 31).

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?

Yes for parcels:

UT0506- 279, 280, 281, 282, 299A, 304

Documentation of answer and explanation:

As explained in question 3 below, there are no new issues to address. Because there are no new issues to address, the range of alternatives is adequate. A range of alternatives from Full Production to No Action was analyzed in the EIS; Alternative C (Limited Protection), was selected as the RMP Decision; Part A of the Oil and Gas Supplemental EA, which described the level of oil and gas exploration and development in the Moab Field Office, also still applies.

3. Is the existing analysis adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition (PFC) reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

Yes for parcels: UT0506 - 299A, 304

Documentation of answer and explanation:

A review of the proposed action has been completed and is documented in the Interdisciplinary Team Analysis Record. Significant new information or a significant change in circumstances has not been identified by the BLM resource specialists; however, new information, none of which is significant is described below.

Wilderness Characteristics

Parcel 299A has been proposed for wilderness consideration by external groups through the land use process for the Moab Field Office. Through the BLM evaluations, the parcel has been found to likely have wilderness characteristics. However, this is not considered to be significant new information because naturalness, primitive and unconfined recreation, and special features are adequately addressed in the NEPA record.

Parcel 304 has not had significant new information presented to the BLM concerning wilderness characteristics.

The Oil & Gas Supplemental EA (1988) specifically discusses the impacts of leasing on a number of resources relating to naturalness. The EA addresses the effects of leasing on wildlife, recreation, visual resources, vegetation, soil, and water quality.

The 1988 EA also addresses impacts to primitive recreational opportunities. At the time the previous analysis was prepared, the lease areas in question were not receiving primitive types of recreation use to a degree they were considered an issue in the previous EA. Areas containing lease parcel 299A and 304 are still not targets for primitive recreation use (BLM field observation)), and use patterns and levels have not changed since the 1988 EA was completed.

Further discussion is provided in a Staff Report attached to the Interdisciplinary Team Analysis Record.

ACEC's

Parcels 299A and 304 are not within potential ACEC's.

Cultural Resources and Native American Consultation

The cultural resources review and Native American consultation completed for this sale have not provided any new information or changed circumstances. Although compliance with Section 304 of the National Historic Preservation Act (NHPA) of 1966, as amended, prohibits disclosure of the description, location, and or land ownership of archaeological remains to the general public, the Moab Field Office Class I Inventory Report for the preliminary May Oil and Gas lease parcels adequately summarizes the presence and absence of archaeological inventories and archaeological sites located on each parcel.

On February 13, 2006, certified consultation letters were sent to the following Tribes: Uintah and Ouray, Hopi, Navajo, Navajo Utah, Ute Mountain Ute, Pueblo of Zuni, Pueblo of Laguna, Paiute Tribe of Utah, Pueblo of Zia,

Southern Ute, Pueblo of Santa Clara, and the White Mesa Ute. The letter requested comments to be provided to the MFO within 30 days. Two responses were received, one from the Pueblo of Laguna, the other from the Paiute Tribe of Utah. No concerns pertaining to leasing of the preliminary parcels were noted. Consultation is complete if tribal response presents no objections or if response is not received seven (7) days prior to the date of the proposed sale. Additional consultation will be conducted should site-specific use authorization requests for a lease be received.

The potential for oil and gas development does not affect any known National Historic eligible properties. The Moab Field Office has submitted a request for concurrence to the Utah State Historic Preservation Office.

Wildlife

There is no new information nor changed circumstances concerning wildlife on Parcels 299A and 304.

Special Status Species

New information and circumstances concerning Special Status Species have developed since the 1985 RMP. However, lease notices (see section F) have been prepared to inform the lessee that these species and their habitat may be present on these leased lands. These species are: Mexican Spotted Owl (Parcel 299A) , Southwestern Willow Flycatcher (Parcel 304), Bald Eagle (Parcels 299A and 304) and Burrowing Owl (Parcel 304). Compliance with the Endangered Species Act would make this new information insignificant in regards to the analysis in the existing record because all operators would be required to comply with any stipulations developed to protect these species and their habitats as a result of consultation with the USFWS.

Summary or New information and/or Circumstances

New information or circumstances that would render the existing environmental Analysis as inadequate is unknown at this time. The identified new information and or circumstances are considered as insignificant with regard to the analysis in the existing record.

NO for parcels:

UT0506- 279, 280, 281, 282

Documentation of answer and explanation:

On August 2, 2004, as part of the Moab RMP revision process, the MFO Manager signed the "Relevance and Importance Evaluation of Area of Critical Environmental Concern (ACEC) Nominations." All 4 of the above mentioned parcels are located within the area of the Canyon Rims Potential ACEC, which was found relevant and important for scenic resources. Leasing of these parcels would conflict with the new information on the relevance and importance of the scenic resources provided through the ACEC evaluation process. The standard lease terms and conditions and current visual resource stipulations specified in the Grand Resource Area RMP (1985) are insufficient for leasing at this time. Leasing these parcels could limit the range of ACEC alternatives being considered, and would conflict with current BLM policy (BLM Manual 1613.21.E)

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes for parcels:

UT0506- 279, 280, 281, 282, 299A, 304

Documentation of answer and explanation:

The methodology and approach used in the 1985 RMP/EIS are still appropriate for the current proposal to lease because the methods of extraction, and the land requirements for exploration and development, and their potential impacts, have not changed substantially since 1985. The basic analysis assumptions included in the RMP/EIS are still applicable to the current proposal to lease these tracts for oil and gas exploration and development.

The 1988 Implementation EA evaluates oil and gas leasing as directed and allowed under the 1985 Grand

Resource Area RMP. In the EA and RMP, oil and gas leasing categories are designated for lands in the Resource Area. In the 1988 EA, a reasonable foreseeable development (RFD) scenario was analyzed for oil and gas exploration and development. The RFD estimated that a total of 248 wells would be drilled from 1989-95, which includes the lands encompassed by these parcels. Thus, the average number of wells drilled in any one year would be 248 divided by 6, or roughly 41 per year. The actual numbers of wells permitted in Grand County have turned out to be much fewer than projected. For example, only 33 wells were permitted from 1998-2002, for an average of less than seven per year, much lower than projected in the 1988 EA.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Do the existing NEPA documents analyze impacts related to the current proposed action at a level of specificity appropriate to the proposal (plan level, programmatic level, project level)?

Yes for parcels:

UT0506- 299A, 304

Documentation of answer and explanation:

The RMP/EIS and the Oil and Gas Supplemental EA analyzed potential impacts from oil and gas leasing within the Grand Resource Area. Reasonably foreseeable impacts of exploration and development were analyzed, taking into account the known and inferred potential for occurrence and discovery of producible quantities of hydrocarbons. Possible mitigation measures are addressed in the EIS and EA. Leasing categories were established to meet management objectives for protecting certain resources/values in particular areas. Leasing the proposed parcels falls within the reasonably foreseeable development analysis for direct and indirect impacts contained in the Oil and Gas Supplemental EA. Such impacts are substantially unchanged from those identified in the existing NEPA documents. Site-specific impacts of leasing these parcels are mitigated by the stipulations found on p. A-20-21 of the RMP.

NO for parcels:

UT0506- 279, 280, 281, 282

Documentation of answer and explanation:

Parcels 279, 280, 281, and 282 are located within the Canyon Rims Potential ACEC as determined through the Moab Field Office RMP revision process. Direct and indirect impacts have not been completed on this new information regarding the relevance and importance of the scenic resources. Leasing of these parcels would conflict with various alternative ACEC boundaries under consideration. The standard lease terms and conditions and current visual stipulations specified in the Grand RA RMP are insufficient for leasing at this time. Leasing these parcels could limit the range of ACEC alternatives being considered and would conflict with current BLM policy (BM1613, 21 E, and Section V. B. of BLM's Areas of Critical Environmental Concern Policy and Procedures Guidelines).

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes for parcels:

UT0506- 299A, 304

Documentation of answer and explanation:

As discussed in the answers to Items D.4 and D.5, above, the RMP EIS, 1988 EA and RFD addressed reasonable future oil and gas activity. This included analysis of the potential additive and cumulative impacts of oil and gas leasing for up to 248 wells per year in the field office area. Because the reasonably foreseeable level of oil and gas activity analyzed previously is still appropriate and additional connected, cumulative or similar actions are not anticipated to exceed the activity level analyzed, the potential cumulative impacts are substantially unchanged from those analyzed in the RMP EIS and EA.

NO for parcels:

UT0506- 279, 280, 281, 282

Documentation of answer and explanation:

Impacts to the scenic resources found relevant and important in the Canyon Rims Potential ACEC are not fully analyzed in the RMP/EIS and the Oil and Gas Supplemental EA and will need further NEPA analysis so that the cumulative impacts to the various resources will be fully understood.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes for parcels:

UT0506-279, 280, 281, 282, 299A, 304

Documentation of answer and explanation:

The public involvement and interagency review procedures and findings made through the development of the Grand Resource Area RMP/EIS and Record of Decision and the Oil and Gas Supplemental EA are adequate for the proposed leasing of the parcels listed above. During the development of the RMP (1979 to 1982), news releases, Federal Register Notices and public meetings were held to obtain the public's input on the alternatives and level of development that was being proposed in the RMP. Additionally, information about this lease sale has been posted on the ENBB for public comment, and the NPS, DWR, FWS, and SHPO were all given the opportunity to comment on all parcels listed for the sale.

Responses were received from The State of Utah Department of Community and Culture and they concur with BLM that no historic properties will be affected; The United States Department of the Interior National Park Service requested that parcels 279 and 280 be deferred; The United States Department of the Interior Fish and Wildlife Service concurred with all BLM T&E recommendations and lease notices; Native American Tribes the BLM received responses from include The Paiute Indian Tribe of Utah, no objections; The Pueblo of Laguna, no objections; The Southern Ute Tribe, no objections; and the Santa Clara Indian Pueblo who expressed concerns on all parcels because of TCP issues related more to development than leasing. The BLM has requested additional information from the tribe. No other responses were received.

Interdisciplinary Team Analysis: Individuals conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Ann Marie Aubry	Hydrologist	Air quality, water quality and floodplains
Stephanie Ellingham	Natural Resource Specialist	Soils, Riparian
Eric Jones	Petroleum Engineer	Oil and gas
Marie McGann	Land Law Examiner	Oil and gas
Marilyn Peterson	Outdoor Recreation Planner	Wild and Scenic Rivers
Pam Riddle	Wildlife Biologist	Wildlife
Bill Stevens	Outdoor Recreation Planner	Wilderness
Katie Stevens	Outdoor Recreation Planner	Recreation and VRM
Frank Bain	Geologist	Geology
Daryl Trotter	Environmental Protection Specialist	Vegetation, T&E plants
Donna Turnipseed	Archaeologist	Archaeology/Paleontology/Consultation

F. Mitigation Measures:

Cultural – None
Riparian – Parcel 299A - UT-S-11; Parcel 304 – UT-S-48
Wilderness – None
Lands – None
Visual – None
Recreation – None
Wild and Scenic Rivers – None
Wildlife -
Mexican Spotted Owl (Parcel 299A&304)
Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)
Lease Notice T&E-06 Mexican spotted owl

Southwestern Willow Flycatcher (Parcel 304),
Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)
Lease Notice T&E-07-Southwestern Willow Flycatcher

Bald Eagle (Parcels 299A and 304)
Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)
Lease Notice T&E-01-Bald Eagle

Burrowing Owl (Parcel 304)
UT-LN-13_Lease Notice-Burrowing Owl Habitat
UT-LN-33-Lease Notice-Raptor Surveys

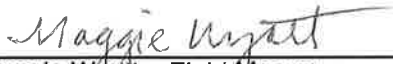
CONCLUSIONS

Based on the review documented above, I conclude that:

- ☐ This proposal conforms to the applicable land use plan for "Yes" parcels.
- ☐ This proposal does not conform to the applicable land use plan for "No" parcels.

Documentation of NEPA Adequacy

- ☐ The existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA for "yes" parcels.
- ☐ The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered for "no" parcels.



Maggie Wyatt – Field Manager

3/29/06

Date

INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

BLM - UT - 950
2006 APR - 3 AM 10:01

Project Title: May 2006 Oil and Gas Lease Sale for "Yes" parcels

NEPA Log Number: USO Assigned

File/Serial Number: None

Project Leader: Frank Bain

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for significant impact analyzed in detail in the EA; or identified in a DNA as requiring further analysis

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.

NP/NI/PI NC	Resource	Rationale for Determination*	Signature	Date
CRITICAL ELEMENTS				
NC	Air Quality		Am Aubry	3-22-06
NP	Areas of Critical Environmental Concern		K. Stevens	3-21-06
NI	Cultural Resources	See staff report	D. Turnipseed	3-22-06
NC	Environmental Justice		R. McClure	3-21-06
NP	Farmlands (Prime or Unique)		K. Stevens	3-22-06
NC	Floodplains		Am Aubry	3-22-06
NE	Invasive, Non-native Species	Cleaning of vehicles would prevent spread of non-invasive weeds	D. Truitt	3-27-06
NI	Native American Religious Concerns	parcels require further consultation with Santa Clara Pueblo	Donna Turnipseed	3-22-06
NE	Threatened, Endangered or Candidate Plant Species	no known TLE or candidate species in this area. Inventory would be done prior to sale	D. Truitt	3-27-06
NP	Threatened, Endangered or Candidate Animal Species		A. L. L. L.	3-21-06
NC	Wastes (hazardous or solid)		R. McClure	3-21-06
NC	Water Quality (drinking/ground)		Am Aubry	3-22-06
NC	Wetlands/Riparian Zones	Staff report attached	S. L. L. L.	3-21-06
NP	Wild and Scenic Rivers		M. J. L. L.	3-22-06

NP/NI/PI NC	Resource	Rationale for Determination*	Signature	Date
NC	Wilderness	see staff report	J. Stevens	3-21-06
OTHER RESOURCES / CONCERNS**				
	Rangeland Health Standards and Guidelines			
	Livestock Grazing			
	Woodland / Forestry			
	Vegetation including Special Status Plant Species other than FWS candidate or listed species			
	Fish and Wildlife Including Special Status Species other than FWS candidate or listed species e.g. Migratory birds.			
	Soils			
	Recreation			
	Visual Resources			
	Geology / Mineral Resources/Energy Production			
	Paleontology			
	Lands / Access			
	Fuels / Fire Management			
NC	Socio-economics		J. Stevens	3-21-06
	Wild Horses and Burros			
NC	Wilderness characteristics	see staff report	J. Stevens	3-21-06

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
NEPA / Environmental Coordinator	Daryl Trolle	3-27-06	
Authorized Officer	Maggie Wyatt	3/29/06	

INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

Project Title: May 2006 Oil and Gas Lease Sale for "No" parcels

NEPA Log Number: USO Assigned

File/Serial Number: None

Project Leader: Frank Bain

BLM - UT - 950
2006 APR - 3 AM 10:01

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for significant impact analyzed in detail in the EA; or identified in a DNA as requiring further analysis

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.

NP/NI/PI NC	Resource	Rationale for Determination*	Signature	Date
CRITICAL ELEMENTS				
NC	Air Quality		Am Aubry	3-22-06
PI	Areas of Critical Environmental Concern	ACEC requires further analysis for visuals	X Stevens	3-22-06
NI	Cultural Resources	See staff report	D Turnipseed	3-22-06
NC	Environmental Justice		R McClure	3-21-06
NP	Farmlands (Prime or Unique)		X Stevens	
NC	Floodplains		Am Aubry	3-22-06
NI	Invasive, Non-native Species	requirement to clean vehicles would prevent spread of weeds	D Truitt	3-27-06
PI	Native American Religious Concerns	Parcels require further consultation with Santa Clara Pueblo	D Turnipseed	3-22-06
NI	Threatened, Endangered or Candidate Plant Species	no T/E or candidate species in the area, clearances would be done per request.	D Truitt	3-27-06
NI	Threatened, Endangered or Candidate Animal Species	See staff report	A Adair	3-21-06
NC	Wastes (hazardous or solid)		R McClure	3-21-06
NC	Water Quality (drinking/ground)		Am Aubry	3-22-06
NC	Wetlands/Riparian Zones	Staff report attached	Stephen Ellgren	3-21-06
NP	Wild and Scenic Rivers		Marilyn Peters	3-22-06

NP/NI/PI NC	Resource	Rationale for Determination*	Signature	Date
NC	Wilderness	see staff report	J. H. Huns	3-21-06
OTHER RESOURCES / CONCERNS**				
	Rangeland Health Standards and Guidelines			
	Livestock Grazing			
	Woodland / Forestry			
	Vegetation including Special Status Plant Species other than FWS candidate or listed species			
	Fish and Wildlife Including Special Status Species other than FWS candidate or listed species e.g. Migratory birds.			
	Soils			
	Recreation			
PI	Visual Resources	Visual resources are relevant + mpt value for affected ACEC	K. Huns	3-22-06
	Geology / Mineral Resources/Energy Production			
	Paleontology			
	Lands / Access			
	Fuels / Fire Management			
NC	Socio-economics		J. H. Huns	3-21-06
	Wild Horses and Burros			
NC	Wilderness characteristics	see staff report	J. H. Huns	3-21-06

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
NEPA / Environmental Coordinator	Daryl Trotter	3-27-06	
Authorized Officer	Maggie Wyatt	3/29/06	